(68)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 1264 of 2007

PETITIONER Sunder Lal Pastariya, aged – 53 years, S/o Shri Manohar Lal Pastariya working as – Forest Range Officer, (suspended), At – D.F.O. (T.), Rajnandgaon, District-Rajnandgaon (C.G.), R/o HIG – 64, Housing Board Colony, Kamla College, Road, Rajnandgaon (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through – The Secretary, Department of Forest, D.K.S. Bhawan, Raipur
2. The Principal Chief Conservator of Forest, Chhattisgarh, H.Q. – Raipur (C.G.)
3. Conservator of Forest, Durg Circle, Durg (C.G.)
4. Divisional Forest Officer, (T.) Kabeerdham, District – Kabeerdham (C.G.)
5. Divisional Forest Officer (T.) Rajnandgaon, District - Rajnandgaon (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri R.K. Kesharwani, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy.

ORAL ORDER
(22.11.2007)

SUNIL KUMAR SINHA, J

Heard on admission.

The petitioner, who is Forest Range Officer, has challenged the show-cause notices dated 6.8.99 (Annexure-P/1), 7.2.2005 (Annexure-P/3), 6.2.2007 (Annexure-P/5) and 20.4.2005 (Annexure-P/6).

On perusal of these notices, it would appear that certain demands have been raised against the petitioner on account of irregularities committed by him.

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Learned counsel for the petitioner argues that demands are not justified and the petitioner has filed reply to each of the notices denying the contents and the matter is pending before the concerned authority as no decisions have been taken so far.

I have heard learned counsel for the petitioner at length.

Admittedly, out of 4 impugned notices, one notice is of the year 1999 and other 2 notices are of the year 2005 and one notice is of the year 2007. When the petitioner has already filed reply to these notices and the matter is pending for consideration before the concerned authority, as stated by learned counsel for the petitioner, and the petitioner has raised factual dispute regarding the recovery as also grounds of recovery and has questioned the amount of recovery proposed against him, I am not inclined to admit this petition for hearing at this stage, which is filed only against the show-cause notices. The matter is pending for consideration before the concerned authority. The petitioner is free to raise all grounds before the said authority, which has to be adjudicated in accordance with law.

The petition is not worth admission, the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

vatti